

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Sri J. Ramesh, Sarpanch (U/s), Gram Panchayat Dongathurthi, Dharmavaram Mandal – Karimnagar District – Revision Petition filed against the proceedings of the District Collector (PW), Karimnagar District – Allowed – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O.Rt.No.
2010.

Dated:30-11-

Read the

following:-

- 1) From the Dist. Collector (PW), Karimnagar District, Proc.No.A6/3060/08-Pts, Dated 07.01.2010.
- 2) Revision Petition received from Sri J. Ramesh, Sarpanch (U/s), Gram Panchayat Dongathurthi, Dharmavaram Mandal, Karimnagar District,dt.17.2.20010.
- 3) Govt. Memo.No.14756/Pts.II/A1/2009-1, Dated 31-03.2010.
- 4) From the DPO., Karimnagar Dist., Lr.No. A6/3060/2008-Pts, dt. 12. 04.2010.
- 5) From the DPO, Karimnagar Lr.No. A6/3060/2008-Pts, dt. 09.06.2010 & 9-08-10.

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ORDER:

In the reference 1st read above, the District Collector (PW), Karimnagar District has Suspended Sri J. Ramesh, Sarpanch (U/s), Gram Panchayat Dongathurthi, Dharmavaram Mandal, Karimnagar District for misappropriation of Gram Panchayat funds under section 249(6) of A.P.P.R.Act, 1994.

2. Aggrieved by the said orders Sri J. Ramesh, Sarpanch (U/s), Gram Panchayat Dongathurthi, Dharmavaram Mandal, Karimnagar *District* has filed an Revision Petition before Government vide in the reference 2nd read above.

3. In the reference 3rd read above, Government has called the remarks of the District Collector (PW), Karimnagar in the matter.

4. In the reference 4th read above, the District Panchayat Officer, Karimnagar District has reported that Sri J. Ramesh, Sarpanch Gram Panchayat Dongathurthi of Dharmaram Mandal was placed under suspension for having misused the Gram Panchayat Funds and subsequently the Government have extended the suspension period of (3) months more. Further the Sarpanch has filed a W.P. No. 787/2010 before Hon'ble High Court of Andhra Pradesh and the Hon'ble High Court has dismissed the Writ Petition and instructed the said Petitioner to produce entire records before the District Collector (PW), Karimnagar District. He has further stated that a show cause notice was issued to the Sarpanch U/S 254 and 249 (1) for recovery under Land revenue arrears and for removal of from the post of Sarpanch respectively. Further the Sarpanch has filed an Appeal Petition before Government.

5. In the reference 5th read above, the District Panchayat Officer, Karimnagar has stated that the Sarpanch, Gram Panchayat Dongathurthi of Dharmaram (M) has misappropriated the funds pertains to the General Fund, SSFC, TFC Funds. A show cause notice has been issued to the Sarpanch vide District Panchayat Officer letter under G.O.30, PR&RD Dept, dt.20.1.1995 and restrictions have been imposed on the Cheque drawing powers of the Sarpanch by assigning the counter signature of the E.O(PR&RD) Dharmaram to run day to day administration smoothy. The Sarpanch has not submitted any reply or records. Accordingly, in orders to take further action, the

Sarpanch has been served with a show cause notice under section 249(6) of APPR Act, 1994 vide Collector (PW), Karimnagar and the Sarpanch has not submitted any reply to the show cause notice issued under section 249(6) also. Accordingly, Sri Junjipalli Ramesh has been placed under suspension vide Collector (PW), Karimnagar orders for misappropriation of following amounts.

(p.t.o)

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1. G.P. General Funds	:	Rs. 1,42,000/-
2. TFC Funds	:	Rs. 82,000/-
3. SSFC Funds	:	Rs. 37,000/-
Total	:	Rs. 2,61,820/-

6. On verification of the reply and records, it has found that an amount of Rs.2,61,822/- have been drawn and produced records for Rs.2,16,171/- only and remaining amount of Rs.45,651/- have been remitted into concerned accounts vide Challan No.476 & 477 dt.23.4.2010. Further producing the records, he has cleared off the entire objectionable amount. However, it has been decided to collect the penal interest to the Rs.45,651/- for its late remittance for a period (30) days. The District Panchayat Officer, Karimnagar has further stated that, Sri J. Ramesh, Sarpanch (U/s) has submitted an another petition stating that, he has remitted the penal interest of Rs.9,690/- vide Challans No.1138 & 1138, dt.01.06.2010 into the concerned accounts. While the matter stood thus, the Mandal Parishad Development Officer, Dharmaram has submitted an another report that, Sri J. Ramesh, Sarpanch (U/s) has misappropriated the amounts to a tune of Rs.43,400/- (i.e. water tap deposits, trees auction amounts, SGRY amounts). The same has been referred to the Divisional Panchayat Officer, Peddapalli calling his remarks. The same are awaited. Meanwhile, the J. Ramesh, Sarpanch (U/s) has involved in the case of burnt of Gram Panchayat Dongathurthi records. For which a Criminal Case has been filed against him in SHO, Dharmaram. Further, as per the Hon'ble High Court of A.P. Hyderabad orders issued in W.P.No.19313/2010, Sri J. Ramesh, Sarpanch (U/s), Dongathurthy Gr.Pt. of Dharmaram Mandal has been reinstated into the post of Sarpanch vide Collector (PW), Karimnagar orders dt.1.9.2010.

7. The case was heard on 29.10.2010. During the hearing the Sarpanch did not attend the hearing. As seen from the records the Hon'ble High Court in their order-dated 13.8.2010 have given a direction to allow the Petitioner Sarpanch (U/s) to function as Sarpanch. Accordingly, the Collector has reinstated Sri J. Ramesh as Sarpanch vide his Proceedings dt.1.9.2010. The District Panchayat Officer has reported that the Sarpanch has produced the records for Rs.2,16,171/- and the balance of Rs.45,651/- has been remitted on 23.4.2010, including the penal interest amounting to Rs.45,651/-. Though the District Panchayat Officer has reported that it has been brought to the notice that Sarpanch has misappropriated recently an amount of Rs.43,400/- and it is being enquired. It is also mentioned that a criminal case has been filed against the Sarpanch on his reported involvement in the case of burning Gram Panchayat records. These issues have not been taken into consideration as the suspension of the Sarpanch was ordered by Collector on different grounds vide his proceedings dated 7.1.2010. In view of the report of the District Panchayat Officer that the Sarpanch has produced the records and remitted the balance of Rs.45,651/- with penal interest.

8. Government after hearings and keeping in view of the orders of Hon'ble High Court of Andhra Pradesh and also after perusing the relevant records the Revision Petition filed by Sri J. Ramesh, Sarpanch is hereby allowed duly setting aside the orders of District Collector (PW), Karimnagar District issued vide reference 1st read above.

9. The District Collector (PW), Karimnagar District shall take necessary action accordingly. However it is open to the District Collector to enquire into the allegations of further misappropriation.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA
PRADESH)**

**M.V.P.C. SASTRY
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
The District Collector (PW), Karimnagar District.

Copy to:-

The Commissioner, Panchayat Raj and Rural Employment, A.P. Hyderabad.
The District Panchayat Officer, Karimnagar District.

Sri J. Ramesh, Sarpanch (U/s), Gram Panchayat Dongathurthi,
Dharmavaram Mandal, Karimnagar District.
The Addl.O.S.D. to M(PR)
Sf /Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER